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EXAMINER

KE, PENG

ART UNIT PAPER NUMBER

2174

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/711,369

Applicant(s)

REZVANI ET AL.

Examiner

Peng Ke

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-7, 10-13, and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Buxton et al. (US 6,469,714).

As per claim 1, Buxton et al. teaches a customizable environment comprising:

an interactive presentation having a plurality of object placeholders, each for holding a presentable object or a presentable reference to an object (col. 2, lines 61-68, col. 3, lines 1-11);

each placeholder having a means for selecting the presentable object or reference held therein and a means for selecting the placeholder (col. 7, lines 28-55);

a data store for storing the presentable objects(col. 3, lines 66-68, col. 4 lines 1-7, col. 8 lines 54-61); It is inherent that the changes which are made by the user are saved in the computer hard drive.

the presentable objects being linked to indicate the relationship between the objects, wherein the arrangement of the presentable objects, references, or both within the placeholders

corresponds at least in part to the manner in which the presented objects and references are linked (col. 7, lines 28-55).

As per claim 2, Buxton et al. teaches the customizable environment of claim 1, wherein the interactive presentation is an electronic interface (col. 2, lines 44-60).

As per claim 3, Buxton et al. teaches the customizable environment of claim 2, wherein the interface is selected from group consisting of visual displays, auditory displays, tactile displays, digital devices or agents, and combinations thereof (col 3. lines 44-60).

As per claim 4, Buxton et al. teaches the customizable environment of claim 1, wherein the interactive presentation is an output device (col. 7, lines 28-55). The examiner infers to the ability which allows the user to display the text with different font or style.

As per claim 5, Buxton et al. teaches the customizable environment of claim 1, wherein the interactive presentation is an input device (col. 7, lines 59-68; col. 8, lines 1-8). ). The examiner infers to the fact that certain functions there were available, which can be accessed through the input device, are disable when the condition is not met.

As per claim 6, Buxton et al. teaches the customizable environment of claim 1, wherein the interface is automatically adaptable as an input or output device (col. 8, lines 23-38).

As per claim 7, Buxton et al. teaches the customizable environment of claim 1, wherein the interactive presentation has at least one spatial dimension (col. 8, lines 23-38). It is inherent that the action bar is being display in a two dimensional space.

As per claim 10, Buxton et al. teaches the customizable environment according to claim 1, wherein the presentable objects are digital pictures or icons (fig. 4, items 324).

As per claim 11, Buxton et al. teaches the customizable environment according to claim 1, wherein the means for selecting the presentable object or reference held therein is a selection box (fig. 4d, item 328, col. 8, lines 9-19).

As per claim 12, Buxton et al. teaches the customizable environment according to claim 1, wherein the means for selecting the placeholder is a selection bar (fig 4d. item 324).

As per claim 13, Buxton et al. teaches the customizable environment according to claim 1, further comprising a database for storing the links between references or objects (col. 8, lines 31-41).

As per claim 16, Buxton et al. teaches the customizable environment according to claim 2, wherein the presentable environment is viewable over the global computer network (col. 2, lines 61-68, col. 3, lines 1-11).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8, 9, 17-19, 21, 22, 30, 31, and 34-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buxton et al. (US 6,469,714) in view of Gagnon et al. (US 6,522,342).

As per claim 8, Buxton et al. teaches the customizable environment according claim 1. However Buxton fails to teach wherein the interactive presentation is a video display. Gagnon et al. teaches video display with customizable feature (col. 3, lines 24-57). It would have been obvious to an artisan at the time of the invention to include Gagnon et al.'s teaching with Buxton et al.'s environment in order to provide user with a video display interface that has a customizable tool bar or remote control.

As per claim 9, Buxton et al. and Gagnon et al. teach the customizable environment according to claim 8. Gagnon further teaches wherein the video display is a web page (col. 5, lines 13-44).

As per claim 21, Buxton et al. and Gagnon et al. teach the customizable environment according to claim 8. Gagnon further teaches wherein the video display is a web page (col. 5, lines 13-44).

As per claim 22, Buxton et al. and Gagnon et al. teach the customizable environment according to claim 21. Buxton further teaches wherein the presentable objects are digital pictures or icons (fig. 4, items 324).

As per claim 30, Buxton et al. and Gagnon et al. teach the customizable environment according to claim 22. Buxton et al. further teaches wherein the means for selecting the presentable object or reference held therein is a selection box (fig. 4d, item 328, col. 8, lines 9-19).

As per claim 31, Buxton et al. and Gagnon et al. teach the customizable environment according to claim 22. Gagnon et al. teaches wherein the means for selecting the placeholder is a selection bar (fig 14, item 354).

As per claim 34, Buxton et al. and Gagnon et al. teach the customizable environment of claim 22. Buxton further teaches the environment wherein the interactive presentation is an output device (col. 7, lines 28-55). The examiner infers to the ability, which allows the user to display the text with different font or style on monitor.

As per claim 35, Buxton et al. and Gagnon et al. teach the customizable environment of claim 22. Buxton further teaches wherein the interactive presentation is an input device (col. 7, lines 59-68; col. 8, lines 1-8). The examiner infers to the fact that certain functions there were available, which can be accessed through the input device, are disable when the condition is not met.

As per claim 36, Buxton et al. and Gagnon et al. teach the customizable environment of claim 22. Buxton further teaches wherein the interface is automatically adaptable as an input or output device (col. 8, lines 23-38).

As per claim 37, Buxton et al. and Gagnon et al. teaches the customizable environment of claim 22, wherein the interactive presentation has at least one spatial dimension (col. 8, lines 23-38). It is inherent that the action bar is being display in a two dimensional space.

As per claim 17, Buxton et al. teaches the customizable environment according to claim 16. However Buxton fails to teach further comprising a web server and wherein the display is part of a web page on the web server. Gagnon teaches an customizable environment where the display is part of a web page on the web server (col. 5, lines 13-44). It would have been obvious

to an artisan at the time of the invention to include Gagnon et al.'s teaching with Buxton et al.'s environment in order to allow the users to access information over the web.

As per claim 18, Buxton et al. teaches the customizable environment according to claim 1. However he fails to teach the environment further comprising a means for selecting a last position of the interactive presentation. Gagnon teaches an environment comprising a means for selecting a last position of the interactive presentation (col. 19, lines 9-34). It would have been obvious to an artisan at the time of the invention to include Gagnon et al.'s teaching with Buxton et al.'s environment in order to display previously viewed programs or videos.

As per claim 19, Buxton et al. teaches and Gagnon teaches the customizable environment according to claim 18. Gagnon further teaches wherein the means for selecting the last interactive presentation position is a selection bar (Fig. 14, item 354).

Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buxton et al. (US 6,469,714) in view of Pollack et al. (US 6,578,025).

As per claim 14, Buxton et al. teaches the customizable environment according to claim 1. However Buxton fails to teach wherein the links between presentable objects are stored in a doubly-linked list. Pollack et al. teaches using doubly-linked list to store data (col. 10, lines 60-68; col. 11, lines 1-8). It would have been obvious to an artisan at the time of the invention to include Pollack et al.'s teaching with Buxton et al.'s environment in order to minimize the search time for the selected object.

As per claim 15, Buxton et al and Pollack et al. teach the customizable environment according to claim 14. Pollack wherein each presentable object in the doubly-linked list has a



pointer that refers to each of the presentable objects adjacent thereto (col. 10, lines 60-68; col. 11, lines 1-8).

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Buxton et al. (US 6,469,714) in view Boreczky et al. (US 6,366,296).

As per claim 20, Buxton et al. teaches the customizable environment according to claim 1. However he fails to teach wherein the selecting means comprises an aural, oral, visual, electrical, mechanical, optical, or digital selector. Boreczky et al. teaches an environment wherein the selecting means comprises an aural, oral, visual, electrical, mechanical, optical, or digital selector (fig1. items 1, 2, 3, 4, 5-1, 5-2, 5-3, 6-1, 6-2, 6-3, 7, 11). It would have been obvious to an artisan at the time of the invention to include Boreczky et al.'s teaching with environment of Buxton et al. in order to provide the user with the ability to modify the video.

Claims 23-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buxton et al. (US 6,469,714) in view of Gagnon et al. (US 6,522,342) further in view of Pollack et al. (US 6,578,025).

As per claim 23, Buxton et al. and Gagnon et al. teaches the customizable environment according to claim 22. However they fail to teach wherein the presentable objects are stored in a doubly-linked list. Pollack et al. teaches using doubly-linked list to store data (col. 10, lines 60-68; col. 11, lines 1-8). It would have been obvious to an artisan at the time of the invention to include Pollack et al.'s teaching with environment of Buxton et al. and Gagnon et al. in order to minimize search time for the selected object.

As per claim 24, Buxton et al., Gagnon et al., and Pollack et al. teach the customizable environment according to claim 23. Pollack further teaches wherein each presentable object in

the doubly-linked list has a pointer that refers to each of the presentable objects adjacent thereto (col. 10, lines 60-68; col. 11, lines 1-8).

As per claim 25, Buxton et al., Gagnon et al., and Pollack et al. teach the customizable environment according to claim 24. Buxton further teaches wherein the presentable environment is viewable over the global computer network (col. 2, lines 61-68, col. 3, lines 1-11).

As per claim 26, Buxton et al., Gagnon et al., and Pollack et al. teach the customizable environment according to claim 25. Buxton further teaches comprising a web server and wherein the display is part of a web page on the web server (col. 5, lines 13-44).

As per claim 27, Buxton et al., Gagnon et al., and Pollack et al. teach the customizable environment according to claim 26. Gagnon et al. further teaches comprising a means for selecting a last position of the interactive presentation (col. 19, lines 9-34).

As per claim 28, Buxton et al., Gagnon et al., and Pollack et al. teach the customizable environment according to claim 27. Gagnon et al. further teaches wherein the means for selecting the last interactive presentation position is a selection bar (Fig. 14, item 354).

Claims 29, 32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buxton et al. (US 6,469,714) in view of Gagnon et al. (US 6,522,342) further in view of Pollack et al. (US 6,578,025) further in view of Boreczky et al. (US 6,366,296).

As per claim 29, Buxton et al., Gagnon et al., and Pollack et al. teach the customizable environment according to claim 28. However they fail to teach wherein the selecting means comprises an aural, oral, visual, electrical, mechanical, optical, or digital selector. Boreczky et al. teaches an environment wherein the selecting means comprises an aural, oral, visual, electrical, mechanical, optical, or digital selector (fig1. items 1, 2, 3, 4, 5-1, 5-2, 5-3, 6-1, 6-2, 6-3, 7, 11).

It would have been obvious to an artisan at the time of the invention to include Boreczky et al.'s teaching with environment of Buxton et al., Gagnon et al., and Pollack in order to provide the user with the ability to modify the video.

As per claim 32, it is of the same scope as claim 29. (see rejection above)

As per claim 33, it is of the same scope as claim 29. (see rejection above)

### ***Conclusion***

The following patents are cited to further show the state of the art with respect to a customizable interface:

Alexander et al. (US. 5,986,654) discloses a system and method for rendering on-screen iconic buttons with dynamic textual link.

Bandaru et al. (US. 6,535,228) discloses a method and system for sharing images using a digital media frame.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (703) 305-7615. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KRISTINE L KINCAID can be reached on (703) 308-0640. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

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Peng Ke  
July 28, 2003

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